

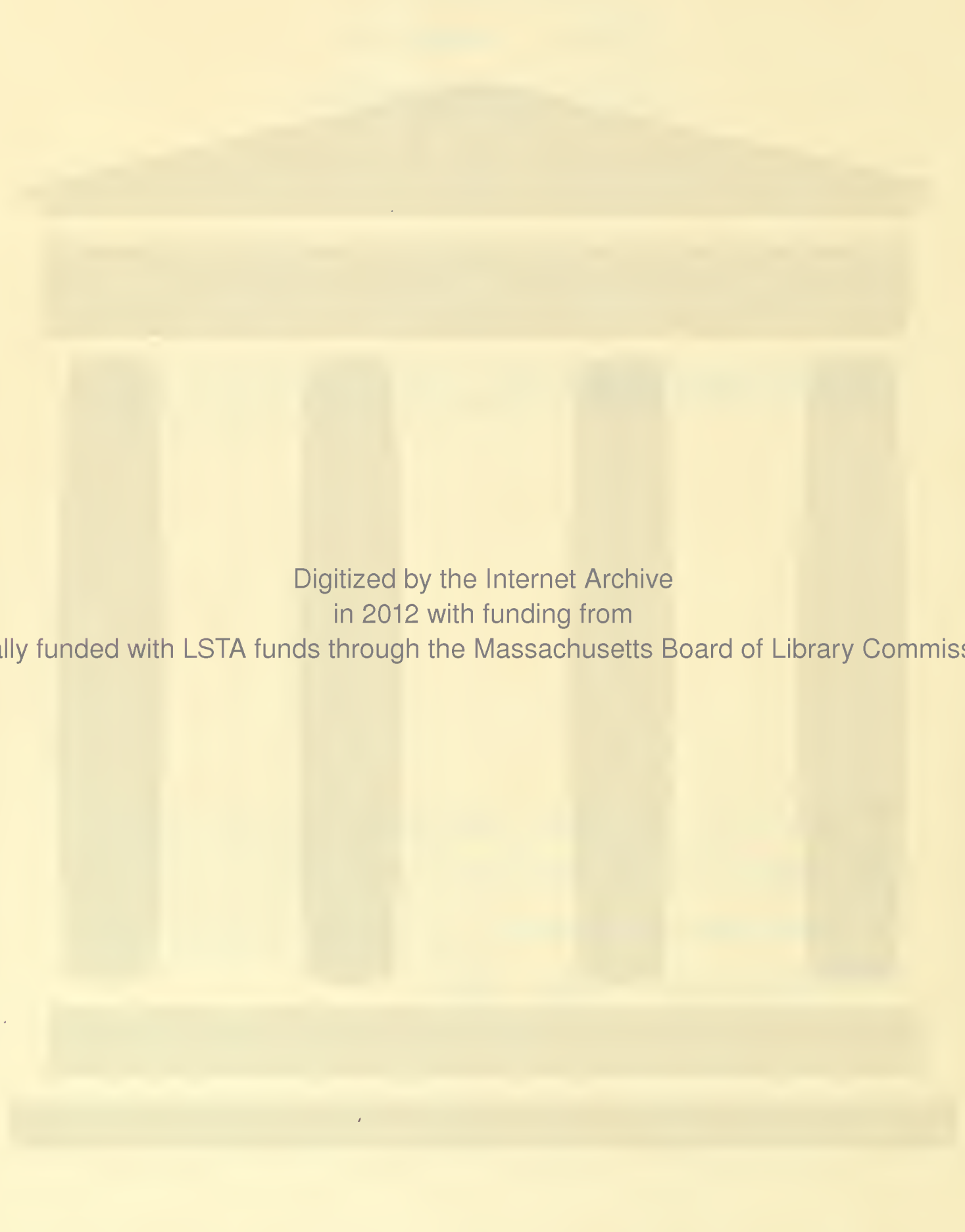
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STATEMENT OF
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ON THE ESTABLISHMENT OF A CAPE COD NATIONAL PARK

Prepared for the Senate Hearing to be held before
the Members of the Subcommittee on Public Lands of
the Committee on Interior and Insular Affairs, at
Washington, D.C., June, 1960.

June 15, 1960



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Since the Hearing held on Senate Bill 2636 in Eastham on December 9 and 10, 1959, there have been two significant related developments -- the Interior Department's Economic Study and the Department's revision of the Neuberger Bill.

In April, 1960 a local newspaper published, in serial form, an Economic Study which had been prepared for the National Park Service on the subject of a Cape Cod National Park. I believe that this report has not otherwise been available to the general public.

On April 19 and 20, 1960 the Department of the Interior caused to be introduced into both Houses of Congress, a revision of its previously sponsored Neuberger Bill -- H.R. 11842 and S2010. These Bills are omnibus bills which include three areas in the United States which are proposed for Park purposes, and for the first time the Department itself sponsored a bill which specifically spells out what the Department wants on Cape Cod.

The boundaries proposed are substantially the same as those indicated in the Field Survey made by the National Park Service in 1958 and later included, with some modifications, in S.B. 2636 introduced in 1959 by Senators Kennedy and Saltonstall.

The Economic Study made for the Park Service estimates 10,000,000 visitor days annually to the Lower Cape within 15 years, if the Park is established as proposed, on the one hand; or on the other hand, less than 4,000,000 visitor days 15 years from now, if the Park is not established as proposed, in the Lower Cape area.

The 10,000,000 would be mostly "transients staying for periods of up to a week". The alternative 4,000,000 would be mostly "Summer residents staying for prolonged periods". So says the report.

The question to be determined then -- if we accept this expert opinion -- becomes: which way is better -- or is there a way of achieving the most desirable aspects of both?

It must be remembered that most of the 10,000,000 visitor days predicted would occur during the Summer months of 1975. How will they enter? How will they leave? If they visit any portion of the Park lying in the towns of Eastham, Wellfleet, Truro or Provincetown, and if they come by land, they will have to cross when they enter, and re-cross when they leave, the narrow isthmus which separates the Atlantic waters of Town Cove in Orleans from the Cape Cod Bay waters of Rock Harbor Creek.

There is, and can be, but one land route in and out. Thus, this narrow land would be accommodating more than 1,000,000 pairs of unfamiliar feet arriving and leaving by the same route.

The question then arises: who will maintain the highway facilities, and who will control the traffic, and who will police these people, and who will relieve their suffering in sickness and injury, and who will assure adequate public facilities, such as water supply, and who will provide the necessary sanitation facilities to dispose of the inevitable garbage, rubbish and sewage which these millions will create?

In the revised Neuberger Bill proposed by the Department itself, under Section 12, the Department of the Interior expressly foreswears any responsibility for public highways, even within the proposed Park. The Department of the Interior goes so far in the terms of this Section that it could require existing roads within the proposed Park area to be maintained forever, by the town, county or state, whichever may presently have jurisdiction over such roads. Thus, it becomes obvious that it is the deliberate intent of the Department of the Interior to accept no responsibility whatever for ordinary public services which must be rendered to the visitors to the National Park; such as provision for roads, police, health, sanitation, and in general the functions which are inevitably required when large numbers of people gather in a confined area. These services would have to be furnished by the local taxpayers.

The alternative to this, as outlined in the Economic Study, would be that the Lower Cape would continue to develop with a greater population of "Summer residents staying for long periods". If this happens, the Park Service says that our beaches and dunelands will be destroyed. They say this, in spite of the fact that five-eighths of the Atlantic Ocean frontage is, at this moment, in public ownership. In attempting to cure one danger, the Park Service would, by its extreme position, be creating a worse one.

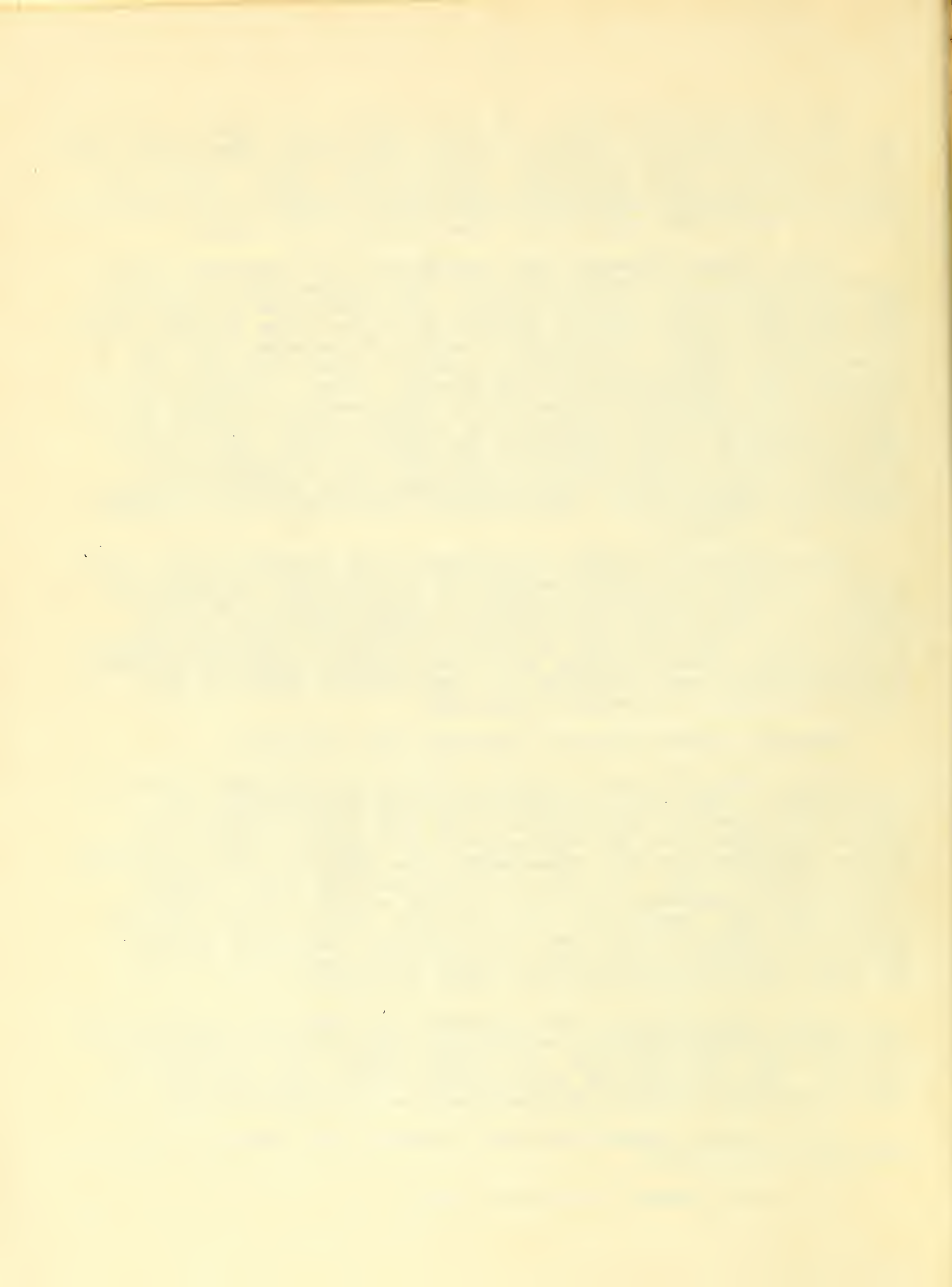
Somewhere between these two extremes lies a solution.

If the objectives can be clearly defined, the solution should not be difficult. What are the objectives of the Park Service? Is their major objective conservation or is their major objective to provide amusement areas for vast numbers of people who live in cities? The two objectives are not reconcilable when applied to this particular narrow tongue of land. You can turn the Lower Cape into a Summer recreation and amusement area for a million people, but you cannot, at the same time, conserve its natural charm. This can be conserved, however, if emphasis is put upon the conserving the way of life of the people living in this area, and also on the conserving of the flora and fauna which have been put there by Nature.

For 300 years the flora and fauna and the people have gotten along with mutual understanding; so successfully that it is an outstanding characteristic which accounts, to a marked degree, for the charm of the area. This mutuality of understanding between Man and Nature can best be preserved by preserving both Man's way and Nature's way.

I have several suggestions which I believe will constructively contribute to this end:

First, with respect to the Park itself:



1. The amount of upland to be taken, particularly in Truro, Wellfleet and Eastham, should be vastly reduced in order not to stifle and destroy the towns of the Lower Cape.
2. Since the protection of home-owners within the Park will depend upon the validity of zoning by-laws to be approved by the Secretary of the Interior, the basic requirements of such by-laws should be spelled out by the Department NOW, rather than later; and in case such by-laws are held invalid by any State Court, the Secretary's authority to take by condemnation should be further suspended long enough to permit corrective action to be taken, which would cause the regulations to be acceptable both to the Department of the Interior and to the courts.
3. The restrictions which the Department wishes to apply to the use of land within the Park by private owners, should be made equally applicable to such land use by the Department itself.
4. The use of tents, trailers, or similar temporary facilities for human habitation within the Park areas of the Lower Cape should be prohibited. Such use by large numbers of transients would effectively destroy the very features which the Park Service say they wish to conserve.
5. The fisheries as a whole, and the control of tidal waters, should not rest with the Park Service, but should remain as now, under the existing State and Federal laws. What possible reason, for example, can the Department of the Interior have, for wanting to control the Atlantic Ocean and Cape Cod Bay for one-quarter mile off-shore from the low-water mark? Can it be that the purpose for which this is desired, would be -- as in the case of the Everglades National Park in Florida -- to prohibit commercial fisheries in such waters?
6. It should be provided that the consent, as well as the advice, of the Cape Cod National Seashore Commission, or its successors in function, should be required if the Secretary of the Interior wishes to devote the National Park, in part, to industry or commercial uses. The Secretary of the Interior should not be allowed, without such advice and consent, to permit the establishment of commercial business, including bar rooms, in the Cape Cod National Park, as he has done in other Parks.

Beyond the Bills themselves, it seems to me that the thinking of the people who have been responsible for the development of this program on behalf of the National Park Service, has been entirely too parochial. They have seen a danger and they have provided what they believe to be a remedy -- but the result of their remedy could be worse than the original disease itself.

The situation can be better cured, however, through such modifications as I have suggested above, if, at the same time, a broader concept of the problem is adopted. The entire Cape Cod and Southeastern Massachusetts area which was originally the "Old Colony" of Plymouth, is a cohesive social, geographic, natural and economic unit, which should be regarded as such for the purposes of determining the use of this land in the centuries ahead. Such a piece-meal attack as is proposed in this Bill will only make the situation worse.

Tenting, for example, should be prohibited within the proposed Park area in the Lower Cape but it should be encouraged and developed in the area between the Cape Cod Canal and Plymouth. Here is a natural place for this use -- big enough to accommodate the crowds without destroying the natural charm. The beach areas of the Lower Cape need the protection of conservation, not the destruction which would follow use, primarily for recreational purposes.

The Atlantic Ocean beach front is not a particularly desirable place for bathing. There are other places on and near the Cape which are much better and are free from dangerous undertow, and they would better serve the transient tent population of the Plymouth woods.

Some of the towns have been giving consideration to the preservation of their wet-lands and marshes in their natural state. Does not the Park Service regard these to be important, and if so, why should it put its emphasis upon the taking of uplands in the Lower Cape and neglect some of the wet-lands and marshes, which are both visually and scientifically extremely interesting, as well as of immeasurable value for the sustaining and development of our fisheries, especially shell fisheries which, in a good year, provide income to the inhabitants far in excess of \$1,000,000.

In short, I believe the Congress should advise the Department of the Interior to raise its sights and to devote more study to this problem. It may be that they are confused, being accustomed to the vast open spaces of the West, when it comes to dealing with the narrow land of Cape Cod in its relation to the most densely populated portion of the United States, which adjoins it.

If the Park Service will be satisfied with taking beaches and duneland, and marshes, now, for conservation purposes, if they will make further studies, including the whole Old Colony area of Southeastern Massachusetts, of the means of providing recreational facilities in Summer for the people from the cities; if they will clearly recognize the incompatibility, in the narrow Lower Cape, of conservation and use for recreation and amusement by millions, then let them take the three-eighths of Atlantic Ocean beach front of Cape Cod which still remains in private ownership NOW for conservation purposes. But let them come back later with better plans for providing a Park for recreation and amusement which will not destroy the benefits of their Park for conservation.

